

COOPER & DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036
TELEPHONE: (212) 278-0400

CHRISTOPHER C. DUNHAM
NORMAN M. ZIVIN
JOHN P. WHITE
WILLIAM E. PELTON
ROBERT D. KATZ
DONNA A. TOBIN
RICHARD S. MILNER
RICHARD F. JAWORSKI
PAUL TENG
GARY J. GERSHIK
JASON S. MARIN
MARIA V. MARUCCI
ADRIAN A. BARTALAI
ASHTON J. DELAUNEY
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BRIAN J. AMOS
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AUDE GERSPACHER
JEFFREY C. SHIEN
NARESH SRITHARAN
DAVID J. KERWICK*
TONIA A. SAYOUR

FACSIMILE: (212) 391-0525
(212) 391-0526
(212) 391-0630

OF COUNSEL
DONALD S. DOWDEN

SCIENTIFIC ADVISOR
MURIEL M. LIBERTO, PH. D.

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DOCKET: 0575/61071-AZ U.S. SERIAL NUMBER: 10/728,580

MESSAGE: AMENDMENT UNDER 37 C.F.R. §1.116 IN RESPONSE TO NOVEMBER 23, 2004 FINAL OFFICE ACTION

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Dkt. 61071-AZ/JPW/GJG/DJK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Samuel J. Danishefsky and Bishan Zhou
Serial No. : 10/728,580 Examiner: E. Bernhardt
Filed : December 5, 2003 Group Art Unit: 1624
For : COMPOUNDS OF THE SAFRAMYCIN-ECTEINASCIDIN
SERIES, USES, AND SYNTHESIS THEREOF

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January 24, 2005

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FACSIMILE CERTIFICATION OF TRANSMISSION
IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

Date of Facsimile: January 24, 2005. I hereby certify that this paper including Amendment Under 37 C.F.R. §1.116 In Response to November 23, 2004 Final Office Action is being transmitted to the U.S. Patent and Trademark Office on the date indicated above by facsimile and is addressed to U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop:AF, Attn: E. Bernhardt

Printed Name: _____

David J. Kenwick

Respectfully submitted,

Gary J. Gerchik
John P. White

Registration No. 28,678
Gary J. Gerchik
Registration No. 39,992
Attorneys for Applicant(s)
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

EXPEDITED PROCEDURE
AMENDMENT UNDER 37 C.F.R. §1.116
GROUP ART UNIT 1624

Docket No. 61071-AZ/JPW/GJG/DJK

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SIR:

AMENDMENT UNDER 37 C.F.R. §1.116 IN
RESPONSE TO NOVEMBER 23, 2004 FINAL OFFICE ACTION

This Amendment is submitted in response to the November 23, 2004 final Office Action issued in connection with the above-identified application. A response to the November 23, 2004 final Office Action under the shortened statutory period for reply is due February 23, 2005. However, because the November 23, 2004 Office Action is a "Final" Office Action, if applicants file a first response within two (2) months of the November 23, 2004 final Office Action, i.e. by January 23, 2005, and the Advisory Action is not mailed until after the three (3) month shortened statutory period, applicants would be entitled to pay any extension of time fees calculated from the mailing date of the Advisory Action. However, since January 23, 2005 was a Sunday, any response filed on the next business day that is not

Applicants : Samuel J. Danishefsky and Bishan Zhou
Serial No. : 10/728,580
Filed : December 5, 2003
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a Saturday, a Sunday or a Federal holiday, i.e. Monday, January 24, 2005, shall be considered timely in accordance with 37 C.F.R. § 1.7(a). Applicants are therefore filing this Amendment within two (2) months of the November 23, 2004 final Office Action by filing it on January 24, 2005. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: